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PATENT 81800.0177

# N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yoshifumi TANIMOTO

Serial No: 10/045,698

Filed:

January 10, 2002

For:

Relay Server, Communication System

and Facsimile System

# TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sirs:

Art Unit: 2157

Examiner: Burgess, B.N.

|      | I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: |  |  |  |  |  |  |  |  |  |
|------|---|--|--|--|--|--|--|--|--|--|
|      | Commissioner for Patents P.O. Box 1450  |  |  |  |  |  |  |  |  |  |
| Ì    | Alexandria, VA 22313-1450, on December 2/2005   |  |  |  |  |  |  |  |  |  |
|      |   |  |  |  |  |  |  |  |  |  |
|      | Date of Deposit   |  |  |  |  |  |  |  |  |  |
| A    | Shindele Ferguson   |  |  |  |  |  |  |  |  |  |
| $\ $ | Name /  |  |  |  |  |  |  |  |  |  |
| 1    | December 2, 2005  |  |  |  |  |  |  |  |  |  |
|      | Signature Date  |  |  |  |  |  |  |  |  |  |
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|      | J .   |  |  |  |  |  |  |  |  |  |

- 1. The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- 2. The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

#### §1.97(e) STATEMENT

I, the person signing below, state:

that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR.

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that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

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§1.97(e)(2). OR FEE Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed. The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d). §1.97(e) STATEMENT I, the person signing below, state: that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1). OR that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2). AND FEE Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00). 4. If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed. 5. A list of 37 reference(s) is in the enclosed Form PTO-1449.

§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R.

### NON-ENGLISH LANGUAGE REFERENCES

| Enclosed is are two Japanese language for a counterpart application.   |
|--|
| The specification incorporates comments on the relevancy of Non-English language references.                                       |
| Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: |

Respectfully submitted, HOGAN & HARTSON L.L.P.

Date: December 2, 2005

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071

Telephone: (213) 337-6700 Facsimile: (213) 337-6701 By:

Troy M. Schmelzer Registration No. 36,667 Attorney for Applicant(s)

#### **FORM PTO-1449 Docket Number (Optional) Application Number** 10/045,698 81800.0177 **ENFORMATION DISCLOSURE CITATION Applicant** Yoshifuni TANIMOTO IN AN APPLICATION **Group Art Unit** (Use several sheets if necessary) Filing Date 2157 January 10, 2002 **U.S. PATENT DOCUMENTS FILING DATE IF EXAMINER CLASS SUBCLASS** NAME DATE **DOCUMENT NUMBER APPROPRIATE** INITIAL 05-2001 YOSHIMOTO 6,237,023 04-2003 DILLON, et al. 6,546,488 05-2003 **TANAKA** 6,564,256 10-2004 JOFFE, et al. 6,801,341 06-2004 **BOGARD** 6,757,365 11-2000 ZUILI, et al. 6,145,084 05-2000 CHEN, et al. 6,061,796 04-2001 **MATSUMOTO** 6,215,877 5,884,312 03-1998 DUSTAN, et al.

| 6,173,334    | 01-2001  | MATSUZAKI, et al.  |   |    |
|--------------|----------|--------------------|---|----|
| 6,226,692    | 05-2001  | MILOUSHEV, et al.  |   |    |
| 6,336,141    | 01-2002  | FUJIYAMA, et al.   |   |    |
| 6,766,373    | 07-2004  | BEADLE, et al.     |   |    |
| 6,636,513    | 10-2003  | NISHIKAWA, et al.  |   | C. |
| 2002/0023143 | 02-2002  | STEPHENSON, et al. |   |    |
| 2002/0059489 | 05-2002  | DAVIS, et al.      |   |    |
| 2002/0152299 | 10-2002  | TRAVERSAT, et al.  |   |    |
| 6,594,246    | 07-2003  | JORGENSEN          |   |    |
| 6,748,446    | 06-2004  | SATO, et al.       |   |    |
| 6,298,239    | 10-2001  | YONEMOTO, et al.   |   |    |
| FC           | REIGN PA | TENT DOCUMENTS     | 3 |    |

TAKAHARA, et al.

06-2000

6,078,583

| <u> </u> |                 | DATE     | COUNTRY | CLASS | SUBCLASS | Translation |          |
|----------|-----------------|----------|---------|-------|----------|-------------|----------|
|          | DOCUMENT NUMBER | DATE     |         |       |          | YES         | NO       |
|          | 2001-014254     | 01/19/01 | JAPAN   |       |          |             |          |
|          | 61-225957       | 10/07/86 | JAPAN   |       |          |             | <u> </u> |
|          | 56-025880       | 03/12/81 | JAPAN   |       |          |             |          |
|          | 2002-300159     | 10/11/02 | JAPAN   |       |          |             |          |
|          | 09-214486       | 08/15/97 | JAPAN   |       |          |             |          |

**EXAMINER** 

**DATE CONSIDERED** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

#### **FORM PTO-1449**

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional) 81800.0177 Application Number 10/045,698

**Applicant** 

Yoshifuni TANIMOTO

Filing Date January 10, 2002 Group Art Unit

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|   |  | OREIGN PATE                               |  |                | SUBCLASS          | Translation |          |
|---|--|---|--|----------------|-------------------|-------------|----------|
|   | DOCUMENT NUMBER  | DATE                                      | COUNTRY  | CLASS          |                   | YES         | NO       |
|   | 2001-184289  | 07/06/01                                  | JAPAN  |                |                   | <u></u>     | <u> </u> |
|   | 10-177548  | 06/30/98                                  | JAPAN  |                |                   |             |          |
|   | 2001-027978  | 01/30/01                                  | JAPAN  |                |                   |             |          |
|   | 2002-217938  | 08/02/02                                  | JAPAN  |                |                   |             |          |
|   | 2002-217943  | 08/02/02                                  | JAPAN  |                |                   |             |          |
|   | 2002-217942  | 08/02/02                                  | JAPAN  |                |                   |             |          |
|   | 2002-141952  | 05/17/02                                  | JAPAN  |                |                   |             |          |
|   | 11-234270  | 08/27/99                                  | JAPAN  |                |                   |             |          |
|   | 11-313059  | 11/09/99                                  | JAPAN  |                |                   |             |          |
|   |  |   |  |                |                   |             |          |
|   | OTHER DOCUME   | NTS (Including Au                         | thor, Title, Date, Pe                          | rtinent Pages  | , Etc.)           |             |          |
|   | "Mac Fan Internet", Vol. 4, No. 6, J                                   | une 1999, Page 33                         |  |                |                   |             |          |
| · | MASUDA, et al., "Multicast Networ<br>Japan, Technical Report of IEICE, | k Control for Stream<br>SSE2000-280, IN20 | ning Data Broadcastin<br>200-236 (2001-03), pg | ng", NTT Netwo | ork Service Syste | ems Labora  | atories  |
|   |  | · · · · · · · · · · · · · · · · · · ·     | . "  |                | `                 |             |          |
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**EXAMINER** 

DATE CONSIDERED

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